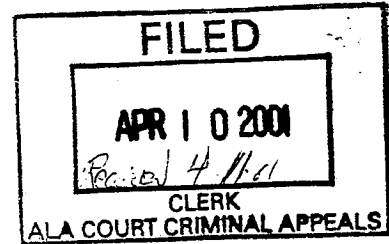


25847-001

00-1167



The COURT OF CRIMINAL Appeals  
OF Alabama

5/4/01

John Willie Minnifield

APPELLANT,

VS

STATE OF Alabama

APPELLEE

Case No.

BRIEF OF APPELLANT

PRO/SE

- Exhibit I -

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## Table of Cases, Statutes, and Other Authorities Cited

## Judicial Authority

State vs Moore	659 S.O.2d.205	(4)-(5)
Barlett vs State	701 S.O.2d 309 (1997)	(6)
Randall vs State	669 S.O.2d 223, 227	(6)
Swain vs State	380 U.S. 202, 85 S.Ct 824 13 Led 2d 759	
Batson vs Kentucky	476 U.S. 97 106 S.Ct 1723.	(4)
Brady vs Maryland	373 U.S. 83 5.Ct 1196 10 Led 2d 275	(2)
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Newman vs State	667 S.O.2d 132 (1992) 667 So 2d 132 (1992)	(4)
Const. Amend 14, Vasquez vs Strack	228 F.3d 143 2nd Cir.	
Brooks vs. Alabama State Bar	574 So.2d 33 (1990)	(6+7)
Ferguson vs. U.S.	847 F Supp 940 S.D. Ala (1994)	(6)
Gladden vs State	644 So 2d. 1267 1993	(1)
ex-parte Sorrells vs State	667 S.O.2d 142	(1)
Stinger vs Kentucky	482 U.S. 730, 107 S.Ct 2658, 96 Led 2d 631	(3)
State vs Grey	256 N.W 2d 74 Minn.	(3)

## Non Judicial Cites

Stalking Alabama 13A-6-90 1975

## STATEMENT OF THE CASE

ON 11-23-98 A WARRANT WAS ISSUED FOR THE ARREST OF THE Appellant JOHN WILLIE MINNIFIELD FOR THE STALKING OF MY WIFE YONCIEL A. MINNIFIELD. ON THE 5TH DAY OF FEBRUARY 1999, Appellant WAS INDICTED BY THE GRAND JURY OF MONTGOMERY Co. ALABAMA. FOR STALKING IN VIOLATION OF 13A6-90 OF THE Code OF ALABAMA. Appellant WAS TRIED BY THE CIRCUIT COURT OF MONTGOMERY Co ON JAN. 12TH 2000. SENTENCE TO 20 YEARS IN PRISON, WAS GIVEN TO THE Appellant ON Feb, 7th 2000. PLUS ORDERED TO PAY 4,378.00 RESTITUTION, \$50.00 CRIME VICTIM FUND AN \$150.00 ATTORNEY FEES. Appellant Filed Appeal TO THIS COURT ON lesser included OFFENSE BY ATTORNEY JOSEPH BURKHART. WHICH WAS AFFIRMED

Appellant THEN filed POST CONVICTION Relief Rule 32 TO THE CIRCUIT COURT ON NEWLY DISCOVERED EVIDENCE WHICH WAS DENIED BY HON: SALLY GREENHAW. Appellant gave NOTICE OF Appeal. The D.A. HAS FAILED TO FILE BRIEF WITH THE Appeals COURT AS REQUIRED BY A.R.O.E. IN REBUTTAL TO THE Rule 32 WITH THIS COURT THE ALABAMA CRIMINAL COURT OF APPEALS AS REQUIRED BY THE RULES OF COURTS

## ORDER

The MONTGOMERY Co. Cir COURT AND The STATE FAILURE TO ENTERTAIN The PETITIONER; JOHN WILLIE MINNIFIELD POST CONVICTION RELIEF by DENIAL OF DUE PROCESS. The COURT STATE CONTENTION IS WITHOUT MERIT. The PETITIONER HAS FACTUAL BASIS ON NEWLY DISCOVERED EVIDENCE. The PETITIONER DID FILE MOTION FOR DISCOVERY ON THE 10th DAY OF MARCH 1999. STATE NEVER RESPONDED SEE TR. Pg MARCH 9 1999 STATE SERVED FORMER COUNCIL JOHN HARTLEY WITH DISCOVERY. The PETITIONER WAS NEVER ALLOWED TO SEE THE DISCOVERY UNTIL THE DAY OF TRIAL. ONLY IN PARTS OF THE STATEMENT THE PETITIONER GAVE TO DETECTIVE WILLIAM. The STATE ALLEGE BARE ALLEGATION

(1) THAT THE STATE ALTERED EVIDENCE. TRUE THE FACTUAL BASIS SEE: TR. Pg. THAT THE STATE DID NOT PUT IN EVIDENCE OF THE STATE WITHHELD THE COMPLAINT FILED ON THE 21st OF NOV. 1998. THE CHARGE OF STALKING. BUT CHANGE TO NOV. 23 1999.

(2) STATE CONTEND THE TRANSCRIPT Pg. 53, THRU 59 SHOW THAT THIS IS TRUE OUT OF THE PRESENCE OF THE DEFENDANT. LINE 19-THRU-59-4 WITNESS BROUGHT BEFORE THE COURT IN VIOLATION OF THE PETITIONER RIGHT TO CONFRONT WITNESS AND OF IMPEACH HOSTILE WITNESS. ONLY 1 WITNESS WAS NEEDED THAT SEEN THE PETITIONER ON NOV. 23, 1998.

STATEMENT OF THE ISSUES PRESENTED FOR REVIEW  
Newly Discovered evidence

(1) Appellant Alleges That The State Altered evidence AND Failed To introduce The complaint AND Affidavit. is Bare Allegation Without factual basis OR SUPPORT.

(1A) State Withheld evidence That The Complaint Was Filed ON SATURDAY Night by Vonciel Minnifield. ON Monday NOV. 23 1998. between The hour of 7:15 AND 7:30 The Appellant Was going home down Ripley St. between Adam Ave AND Washington Ave. My wife Place of employment AND Also The Appellant. Whereas The dishwasher Was dumping TRASH IN The dumpster. The Appellant Pulled over To The curb Never leaving The STREET ARE my CAR, AND ASKED The dishwasher Nicholas Washington To Tell my wife i Were going OUT OF TOWN for The holiday AND Will RETURN ON The WEEKEND, Her AND i Need To Sit down AND have A Talk AND IRON OUT OUR Problems, he said OK he Will Tell her when she get To work. I Drove OFF AND WENT home. She Never get The kids off To School UNTIL 8:AM Then she go back home AND get dressed AND NEVER get To work before 8:45 AM/OR 9AM. When MR Washington gave her my message. she being This 19 year old Supervisor gotten him To lie, that i Threatend To Kill her before Thursday. AND That i Told him i had A gun. Which is UNTRUE, i Was Charged With Stalking IN That incident

even though she was not there where was the stalking?  
 (A) Credible Threat even though, i never told MR Washington anything or conveyed a threat. Credible threat must be conveyed direct to the intend target and not hearsay. State knew the complaint filed on Saturday night could not support stalking the date was changed from the 21st to the 23rd. AND was never mention at trial.

The State brought witness before  
 The COURT AFTER the JURY was impanelled brought witness before the COURT in my absence to what they would testify to. State allege no factual basis. See original transcript Pg. 57 line 20-21 will support the facts that an accused person has a right to confront witness. NOT so here,

H.O.A

(3) State did not give notice of the H.O.A. AND what priors will be used until the day of sentencing i have the proof.

(4) State fabricated N.C.I.E. Reports before the Grand Jury by using cases i never been convicted of see: discovery i filed for discovery March 1999 i did not receive it until the day of the trial only my statement to investigator nothing more. see next page i never received this until the day of the trial i never been convicted of the cases with the X state failed to apply By 3 of the H.O.A applicable (see 3A)



"Exhibit 1"

IN THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT  
MONTGOMERY COUNTY, ALABAMA

STATE OF ALABAMA,  
Plaintiff,

v.

JOHN WILLIE MINNIFIELD,  
Defendant.

CC No. 99-0327-SMG

NOTICE OF  
DISCOVERY TO DEFENDANT,  
INTENT TO USE PRIOR CONVICTIONS,  
INTENT TO INVOKE SENTENCING ENHANCEMENTS,  
INTENT TO OFFER PROOF BY A CERTIFICATE OF ANALYSIS, and  
MOTION FOR DISCOVERY BY THE STATE

COMES NOW the State of Alabama, by and through its District Attorney for the Fifteenth Judicial Circuit, Eleanor I. Brooks, and gives notice as to the following:

(✓) 1. Pursuant to Rule 16.1, A.R.Cr.P., and as otherwise required by law, all available discovery has been provided or made available to the Defendant's counsel of record. Physical evidence, if any, is in the custody of the investigating law enforcement agency or the Alabama Department of Forensic Sciences. Arrangements to inspect physical evidence may be made by contacting the undersigned.

The State has, with this notice, furnished a copy of the complete "case file" (less work product) to Defense Counsel. This material is page numbered sequentially from 000001 to 98 & 101-103. The State will consider this discovery material to have been received in its entirety by Defense Counsel unless the State is notified in writing of any discrepancies.

(✓) 2. The State intends to use at trial any and all prior convictions, crimes, wrongs, or acts of the Defendant for those uses permitted by Rules 404(b) and 609 of the A.R.E., and as otherwise allowed by law. The State is presently aware of, and intends to use, the following:

<u>No Certification</u>	<u>Burglary I CTS Talapoosa 1961</u>	<u>Burglary Talapoosa 1986</u>
<u>X Robbery St. Clair 1969</u>		<u>X Burglary 7 CTS Talapoosa 1980</u>
<u>X Burglary I Grand Larceny St. Clair 1975</u>		<u>X Grand Larceny Autauga 1981</u>
<u>X Grand Larceny St. Clair 1975</u>		<u>X Burglary II Autauga 1985</u>
<u>Burglary II Marengo 1980</u>		<u>X Grand Larceny Autauga 1985</u>
<u>No Certification</u>		

(3A)



(5) All Black males was STRUCK FROM THE JURY IN PREMPTORY IN BATSON VS KENTUCKY Rule 32.6 b AS THE STATE ALLEGES SEE NEXT PAGE (5A) JURY STRIKES

(6) STATE ALLEGE THAT STATE WITNESS COULD NOT TESTIFY TO STALKING, TRUE ONLY (1) WITNESS COULD ON NOVEMBER 23RD 1998. IS NICHOLAS WASHINGTON SEE ME ON THAT DATE NOT EVEN ALLEGES VICTIM. THE OTHER STATE WITNESS LIED WHEREAS I HAD CITY CASES RECKLESS ENDANGEMENT, HARRISHMENT DISORDLY CONDUCT. WHEREAS I HAD BEEN FOUND GUILTY IN CITY COURT WHICH I APPEAL THOSE CASES. IN STATE OPENING CHARGE TO THE JURY I OBJECTED BUT WAS OVERRULED BY TRIAL JUDGE WHOM STATED THE D.A. HAD A RIGHT TO TELL THE JURY WHAT HE EXPECTED THE EVIDENCE TO SHOW. IN RAISING THE ISSUE OF PRIOR CRIMINAL CONDUCT IS FORBIDDEN TO SHOW THE JURY OF THE PROPENSITY TO COMMIT THE CRIME OF 13A 6 90 STALKING. THOSE WITNESSES LIED AND CONSPIRED WITH MY WIFE TO FABRICATE THE CHARGE BECAUSE I CAUGHT HER CHEATING AN HEAVY CRACK USER WHEN I TRIED TO STOP HER SHE HAD ME LOCKED UP FOR STALKING. ONE STATE STAR WITNESS USED FALSE NAME IN SWORN TESTIMONY BEFORE JURY. WHICH THE JURY HAD HER STATEMENT RE-READ TO THE JURY BEFORE TA. 348 BEING CONVICTED. HER NAME IS LAWANDA VINSON. WHICH SHE GAVE THE NAME LAWANDA BENSON. THIS IS NEWLY DISCOVERED EVIDENCE. IN RESEARCHING I RAN ACROSS

her name in her testimony in another case see: MOORE  
VS STATE 659 SO 2d 205

State Alleged These issue was or could have been raised  
AT TRIAL NOT SO,

(1) AFTER DIRECT Appeal COURT REPORTER had to finish  
TRANSCRIPT THEN PASS ON TO THE APPELLANT ATTORNEY  
ESQUIRE JOSEPH BURKHART I DID NOT KNOW OF THE EVENTS  
UNTIL I READ THE TRANSCRIPT AND DISCOVERED FROM  
IT.

(2) THAT WITNESS WAS BROUGHT BEFORE THE COURT IN N.D.E.  
MY ABSENCE. SEE ORIGINAL TRANSCRIPT PAGE 57 LINE 19-20-21

(2) I FILED MOTION FOR DISCOVERY MARCH 1999. SEE TR. PG. 25  
ONLY GOT IT THE DAY OF TRIAL NOT IN TIME TO LOOK INTO IT

(3) NOTICE OF THE STATE TO INVOKE HQA AN CHALLENGE THE N.D.E.  
CHARGES NEVER HAD THE CHANCE. ONLY AT THE SENTENCING.  
SEE TR. 16

(4) STATE FALSEFYING OF THE NCIC REPORT OF CASE I NEVER N.D.E.  
HAD OR CONVICTED BEING PRESENTED TO GRAND JURY  
SEE PG. 33

(5) STATE STRUCK ALL BLACK MALES FROM THE JURY LEFT (3)  
WHITE MALES AND (9) WOMEN ON THE JURY TR PG. 35-36

(6) ONLY (1) WITNESS SEEN ME ON NOV. 23 1998. N.D.E.  
THE STATE CLAIM A.S THIS MOTION IS WITHOUT MERITS

See, ~~Page 29~~ of ORIGINAL TRANSCRIPT BANSHMENT  
 I WERE ORDERED OUT OF TOWN TO LIVE WITH MY  
 SISTER IN Alex City. Whereas my Job, Home AND  
 even Program is in MONTGOMERY. AFTER MY RETURN  
 TO MONTGOMERY, My Wife Filed A false Complaint.  
 I WAS locked back up IN Jail. Bail WAS Re-instated  
 AT \$100.00.00 See TRANSCRIPT, Pg. 29-30 There WAS NO  
 RESTRAINING ORDER - COURT ORDER - OR WHATEVER  
 My Wife AND I SEPERATED OCT. 8TH 1998 THIS HAPPEN  
 ON NOV. 23RD 1998.

13A-6-90 define Stalking law clearly defines A Credible  
 Threat, AND PROVIDES THAT THE THREAT MUST BE COMM-  
 UNICATED,

(2) IN RANDALL VS STATE See (1) (3) Code of Ala 1975 13-6-90  
 13-6-91 (6) by USING City cases TO CONVICTION THEN (8)  
 Double Jeopardy Come INTO Play OR focus. The indictment  
 IN This Case MUST be VOID FOR being defected because  
 There WAS NO INTENTION AS The indictment claim,  
 [1,2] IN [8:10] See UNITED STATES VS FERGUSON, 847

F supp 940 (S.D. Ala 1994). II IN RANDALL Pg. 227 All of  
 The ACTS IN RANDALL Apply here except Following  
 Threats AND/OR Placing Victim OR ANY Family Member  
 IN FEAR FOR There safety. Unlike IN BARLETT VS STATE  
 701 So 2d 305 (1997) NO order WAS IN Place.

DUE PROCESS Brooks VS Alabama State BAR 574 So 2d 33 (1990)  
 DUE PROCESS OF law Requires Fair Notice That ONE Conduct  
 is SUBJECT TO a law OR Regulation. (6) CONST. 6, 7, 13.

CONSTITUTIONAL LAW 287.2(5) Because district Attorney had Reason To believe THAT HER CONDUCT WAS NOT governed, by The Code of Professional Responsibility, base on language in PRIOR SUPREME COURT Ruling AND/OR OPINIONS Dealing with The Rules governing The CONDUCT of ATTORNEYS Due Process Prohibited The imposition of discipline ON her UNDER The Code CONST. 6, 7, 13. The Appellant: IN This motion WAS IN The same OR similar CONDUCT IN denial of due Process UNITED STATES VS Hayes 703 F Supp. 1493, 1502 N.D. Alabama 1989. C.F. Ala. CONST 1901 ART. 1 CT AND 13.

Pike VS Southern Bell Telephone AND Telegraph Co. 263 Ala 59 81 So 2d 254 (1955) The COURTS have FOUND THAT This Right is Violated AS IN Stalking When A Statute OR Regulation is Unduly Vague UNReasonable, OR overbroad.

### Double Jeopardy

City cases Whereas The Appellant had been convicted of HARASSMENT, Reckless endangerment, AN Disordley CONDUCT. CONSTITUTE NO MORE THAN Double Jeopardy. less evidence There was NO following, NO phone calls, NO communication directly, NO THREAT. Period only hearsay evidence. See: TRANSCRIPT everything WAS evolved AROUND City Case witness AND All. SINCE 1st ARREST ON Those charges, There was NO CONTACT with Alleged victim IN ANY form

# ARGUMENT STATEMENT OF FACTS

JUST PASSING ONE ANOTHER ON THE STREET WITH NO GESTURE, THREAT, COMMUNICATION, CONTACT AND/OR VERBIAL WORDS. SEE: ORIGINAL TRANSCRIPT VONCIEL TESTIMONY FROM THE STAND SHE NEVER SEEN ME FOLLOWING HER, NEVER A PHONE CALL TO HER JOB AND/OR HOME, WHERE WAS THE STALKING? ON NOVEMBER 23RD, 1998. AS NAMED IN THE INDICTMENT SHE WAS NOT IN THE BUILDING NO WHERE NEAR THE BUILDING OR IN BETWEEN THE BUILDING ON WASHINGTON AND RIPLEY ST. AS THE INDICTMENT READS, THAT THE APPELLANT: DID INTENTIONALLY STALK VONCIEL MINA FIELD. I KNEW WHERE SHE LIVED IN EVENT I WANTED TO HARM HER, I KNEW THE ROUTE SHE TAKES AS MANY TIMES I TOOK HER TO WORK. DID JUDGE ABUSE HER DISCRETION IN DENIAL MOTION FOR A NEW TRIAL. SINCE THE STATE WITHHELD DISCOVERY EVIDENCE THAT COULD HAVE PROVED ME BEING FOUND INNOCENT. DUE PROCESS OF LAW REQUIRES FAIR NOTICE THAT ONE'S CONDUCT IS SUBJECT TO A LAW OR REGULATION. CONST. 6, 7, 13. AS IN BROOKS VS ALA STATE BAR [2] THE SAME APPLIES HERE IN BEING MARRIED I FELT THOUGH LEAVING WORD WITH CO-WORKER EVEN THOUGH THE WIFE GOT THE CO-WORKER TO CONSTRUCT THE MESSAGE THAT I LEFT THERE WAS NO HARMFUL ERROR OF STALKING, THREAT, COMMUNICATION, AND MOST OF ALL NO PRESENCE OF WIFE THERE OR WOULD BE THERE FOR OVER 1 1/2 HOURS. ALL THE OTHER WITNESS COULD NOT WITNESS TO ANYTHING ON NOV. 23 1998. JUST THE WAY D.A. KNEW THEY LIED AND COULD NOT WITNESS TO ANYTHING THIS IS WHY STATE BROUGHT WITNESS OUT ABSENT OF MY PRESENCE. (8)

(1) Did Trial Judge Abuse IT discretion in honoring A  
 defected Protected order with out factual standard.  
 There is No statutory basic existed, for granting  
 INJUNCTIVE Relief. based ON THE INCIDENTS CITED IN  
 The Appellee's Petition. No competent, substantial  
 evidence exists that The Appellee suffered Repeats  
 Acts of Violence. STATUTORY elements NOT MET where  
 NO evidence of Repeat Violence exist, see Russell  
 ex Rel. Russell vs Hogan 738 S.O. 1003 Fla 2d DCA  
 (1999). Johnson 567 SO 2d at 35.

#### Fla. STATUTES

784.048(3) (1999) 784.048(1) Stalking is the same as  
 Alabama but outline clearly what constitute stalking.  
 IT determining whether AN INCIDENT creates substantial  
 emotional distress, COURT MUST NOT USE IN A factual  
 evaluation A Reasonable Person standard. NOT A  
 subjective standard (see: BOUTER, S vs STATE 659 SO.2d.  
 235, 238 Fla (1995) Johnson vs Brooks 567 S.O. 2d. 34  
 [3] McMath vs STATE 776 SO 2d. 1039 Fla. App. 1 Dist 2001.  
 According NO Violence occurred JUST AN ATTEMP  
 DENCE, BUT NEVER MATERIALIZED TO Violence Factual.



Brady vs Maryland 373 U.S. 83 87, 83 S.Ct. 1194 1196  
 10 L.ed 2d 215 (1963) held The suppression by The  
 Prosecution of evidence, favorable to an accused upon  
 Request violates due Process where the evidence is  
 material, either to guilt or to Punishment, irrespective  
 of the good faith or bad faith, of the Prosecution  
 in Addressing the Request for disclosure. The U.S.  
 Supreme Court has stated:

When the evidence is so clearly supportive of  
 a claim of innocence that it give the Prosecution  
 Notice of a duty to produce, that duty should  
 equally arise even if no Request is made.

As in U.S. vs Agurs, 427 US 97, 107, 96 S.Ct 2392  
 2399, 49 L.ed 2d 342 (1976)

To ensure fair Trial disclosure is Required  
 U.S. vs Ellsworth 647 F 2d 957 9th Cir.

In my opinion Justice has NOT been served  
 in allowing this conviction to stand. The Appellant  
 has NOT been afforded a fair Trial and/or Due  
 Process of law

#### Prosecutor

Failed to timely disclose exculpatory evidence  
 Ex Parte DUNCAN 456 So 2d 362 (1984)

This Appellant John Willie Minnifield hope and pray  
 that this Hon. Court will Reverse the Trial Court  
 Ruling whereas the State has fail to file a Brief



To Support Why The Appeals<sup>ts</sup> Should Not hear My Appeal  
 The State has defaulted. Therefore The Appellant hope AN  
 Pray That This Hon COURT Will Reverse The decision of  
 The lower COURT. For A New TRIAL. That The TRIAL  
 be Fair That The State do NOT violate Brady AN/OR  
 Batson Vs Kentucky Rules AND The A.R.E.P

### Evidence

OF OTHER bad ACT, The state Fail To Provide Notice That  
 IT Would offer such evidence, Render IT INADMISSIBLE  
 Rule 404 Alabama Rules of evidence Fed Rules 404

### Amendment

Requires The PROSECUTOR To Provide Notice Regardless  
 OF how IT INTENDS To use The EXTRINSIC ACT.  
 evidence AT TRIAL i.e. during IT Case IN Chief for  
 impeachment OR for Possibly Rebuttal The offered  
 evidence.

### Section B

The PROVIDED Clause of Section B. Requires Pretrial  
 Notice To The petitioner OF The PROSECUTOR intent To  
 use evidence of collateral misconduct. This Provide  
 Clause is based upon AN AMENDMENT To The corresponding  
 Federal Rule 404 Adopted (1991) ex PARTE Lawrence 776 SO.2d.50 20.

each AND every Allegation is TRUE With Factual basic  
AND MERITS TO SUPPORT This is why The state Failed  
To File its brief. The PETITIONER: John Willie Minnifield hope  
AND PRAY that this Hon: COURT will REVERSE AND Remand  
FOR A New TRIAL So help me God.

Respectfully Submitted

John Willie Minnifield.

Done This 10th Day of April 2000.

#### CERTIFICATE OF SERVICE

I CERTIFY To be Placed in U.S. Mail This BRIEF With  
PROPER Postage AND mailed TO The CLERK of The  
CRIMINAL COURTS OF Appeals AT.

CLERK MR LANE MANN

300 DEXTER AVE

MONTGOMERY AL 361130-1555

STATE OF ALABAMA  
MONTGOMERY COUNTYWARRANT AND  
AFFIDAVITTHE DISTRICT COURT  
CASE NO.

Before me the undersigned Judge/Clerk/Magistrate of The District Court of Montgomery County, Alabama, personally appeared

VONCIEL A. MINNIFIELD

who being by me first duly sworn deposes and says that he has probable cause for believing, and does believe that within twelve months within said County or about (date) 11-23-98 one JOHN WILLIE MINNIFIELD, did

intentionally and repeatedly follow or harass Another person, to-wit: VONCIEL MINNIFIELD, and made a credible threat, either expressed or implied, with the intent to place that person, to-wit: VONCIEL MINNIFIELD, in reasonable fear of death or serious bodily harm, in violation of Code 13A-6-90 of the State of Alabama against the peace and dignity of the State of Alabama,

Sworn to and Subscribed before me this the 23rd day of NOV. 19 98

Judge/Clerk/Magistrate of District Court  
Of Montgomery County, AlabamaComplainant's Signature  
*Vonciel Minnifield*STATE OF ALABAMA  
MONTGOMERY COUNTY

## WARRANT OF ARREST

THE DISTRICT COURT

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

You are thereof commanded to arrest JOHN WILLIE MINNIFIELD

and bring him/her before the DISTRICT COURT OF MONTGOMERY COUNTY, to answer the State of Alabama on a charge of

STALKING

and have you then and there this writ with your return thereon

Dated this 23rd day of NOV. 19 98

The Sheriff will take bond in the sum of \$ 100,000.00

Judge/Clerk/Magistrate of District Court  
Of Montgomery County, Alabama

WARRANT NO. 2304-98

## STATE WITNESSES

Defendant's Address:

463 EMPIRE TERRACE

Race: B

Sex: M

DOB: 12-26-39

DL No:

S. S. Number:

Employment:

WARRANT OF ARREST  
THE DISTRICT COURT OF  
MONTGOMERY COUNTY, ALABAMA

THE STATE OF ALABAMA

JOHN WILLIE MINNIFIELD

VONCIEL A. MINNIFIELD  
2213 UPPER WETUMPKA RD, #31NICHOLAS WASHINGTON  
770 WASHINGTON AVEC. WILLIAMS, #067  
MPD/DETExecuted the within Warrant by Arresting  
the within named Defendant and  
Taking Appearance Bond  
Committing Defendant to JailThis \_\_\_\_\_ day of  
\_\_\_\_\_, 19 84

Sheriff

Case # 98-21198

AFFIDAVIT

DISTRICT COURT OF MONTGOMERY ALABAMA

2304-98

INSTRUCTIONS: Complete the following information on OFFENSE/OFFENDER

Offense: STALKING

Defendant's Name: JOHN WILLIE MINNIFIELD B/M AGE 58 D.O.B. 12/26/39

Defendant's Address: 463 EMPIRE TERRACE MONTGOMERY, ALABAMA 36110

Date & Time of Offense: 11/23/98 BETWEEN 0700-0730 HOURS

Place of Occurance: 770 WASHINGTON AVENUE MONTGOMERY (RSA PLAZA)

Person or Property Attacked: VONCIEL A. MINNIFIELD

How Attacked: BY MAKING VERBAL THREATS TO KILL VICTIM

Damage Done or Property Attacked: \_\_\_\_\_

Value of Property: \_\_\_\_\_

Details of Offense:

ON MONDAY MORNING, 11/23/98 BETWEEN 0700-0730 HOURS, THE DEFENDANT WENT TO THE VICTIM'S PLACE OF EMPLOYMENT LOCATED AT 770 WASHINGTON AVENUE, AT WHICH TIME HE MADE A VERBAL THREAT TO WITNESS #2 OF HIS INTENT TO KILL THE VICTIM, WHO IS HIS WIFE, BEFORE THANKSGIVING DAY. THE DEFENDANT HAS REPEATEDLY HARASSED, FOLLOWED AND THREATENED TO TAKE THE VICTIM'S LIFE FOR OVER A TWO MONTH PERIOD, WHICH HAS CAUSED HER TO FEAR FOR HER SAFETY AS WELL AS HER CHILDREN'S SAFETY.

THIS OFFENSE OCCURRED IN MONTGOMERY COUNTY, ALABAMA, AND IS IN VIOLATION OF SECTION 13A-6-90 OF THE CRIMINAL CODE OF ALABAMA.

I make this affidavit for the purpose of securing a warrant against the said JOHN WILLIE MINNIFIELD B/M AGE 58. I understand that I am instituting a criminal proceeding and cannot drop this case. I further understand that if any of the forgoing facts are untrue, I may, in addition to any other punishment provided by law, be taxed with court costs in this proceeding.

Sworn to and subscribed before me  
this 23 day of NOV 19 98.

Vonciel Minnifield  
Complainant

[Signature]  
Judge - Clerk - ~~Magistrate~~

WITNESSES: (Name, Address, Telephone Number)

- 1) VONCIEL A. MINNIFIELD 2213 UPPER WETUMPKA RD #31 MONTG, AL
- 2) NICHOLAS WASHINGTON 770 WASHINGTON AVE MONTG., AL PH 269-6090
- 3) DET. C. WILLIAMS, #067 MPD/DET PH 241-2847

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